

Confidential

Prosecution :

Need to grant expeditious sanction to—

GOVERNMENT OF MAHARASHTRA

GENERAL ADMINISTRATION DEPARTMENT

Resolution No. CDR-2080/1930/428/XI

Mantralaya, Bombay 400 032, dated the 16th October 1980.

Read.—Government Resolution, General Administration Department, No. VGC-1066/C-10544-D.I., dated the 14th December 1966.

RESOLUTION.—According to the existing procedure the Anti-corruption Bureau forwards reports to the competent authority with a copy to the Home Department, for taking a decision on the requests for according sanction to prosecute. Although a time limit of 14 days is prescribed for taking a decision on whether the inquiry by and report of the Anti-Corruption Bureau indicate a *prima facie* case for sanctioning prosecution, it has been noticed that the time limit is not adhered to and the competent authorities at various levels take their own time to take decision.

2. In order to curtail the delays and to accord expeditious sanction to prosecute, it has been decided that the following procedure should be followed :—

(i) With a recommendation to sanction prosecution, the Anti-Corruption Bureau should also forward a draft of the sanction to be issued by the appointing authority.

(ii) The Anti-Corruption Bureau report should be forwarded by name to the Secretary, Home Department (L & O) in the case of Gazetted Officers and to the appointing authority in other cases.

(iii) The Secretary, Home Department (L & O) should after personal scrutiny forward the case through the Chief Secretary to the Chief Minister for orders. After the orders of the Chief Minister are obtained the papers will be forwarded by Secretary, Home Department (L & O) to the Administrative Secretary who will issue the sanction after showing the papers to the Minister concerned.

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[P.T.O.]

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(iv) In the case of Class III or Class IV employees where the appointing authority considers that sanction should not be accorded, he should immediately forward the papers to the Secretary of the Administrative Department by name indicating the reasons why he considers that the recommendation of the Anti-Corruption Bureau should not be accepted, and the Secretary will obtain the orders of the Minister thereon.

(v) The sanction to prosecute should issue within one month of the receipt of the recommendation from the Anti-Corruption Bureau.

By order and in the name of the Governor of Maharashtra,

V. S. DALVI,

Under Secretary to Government.
General Administration Department.

To

The Secretary to the Governor, Bombay,
The Secretary to the Chief Minister, Bombay,
The Private Secretaries/Personal Assistants to All Ministers and Ministers of State,
*The Registrar, High Court, Appellate Side, Bombay,
*The Prothonotary and Senior Master, High Court, Bombay,
*The Registrar, Office of the Lokayukta and Upa-Lokayukta, Bombay,
All Commissioners of Divisions,
All Collectors,
The Inspector General of Police, Maharashtra State, Bombay,
The Director, Anti-Corruption and Prohibition Intelligence Bureau, Bombay,
All other Heads of Departments and Heads of Offices under the several Departments of the Mantralaya,
The Home Department,
All other Departments of the Mantralaya.

*By letter.

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